

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

M.W Dept., - Sri K.Tejo Kumar, Section Officer, Minorities Commission, A.P.Secretariat, Hyderabad – Sent to judicial custody on 15-03-2007 and released on bail on 22-03-2007 at 21.00 hrs. – Not disclosed the fact of arrest - Disciplinary action initiated – Explanation not submitted - Departmental Proceedings U/R-20 of the A.P. Civil Services (Classification, Control & Appeal) Rules, 1991 – Articles of charges – Issued.

MINORITIES WELFARE (OP) DEPARTMENT

G.O.Rt.No. 333

Dated : 26-12-2011

ORDER :

It is proposed to hold an enquiry against Sri K.Tejo Kumar, Section Officer, Minorities Commission, A.P.Secretariat, Hyderabad in accordance with the procedure laid down in Rule 20 of the Andhra Pradesh Civil Services (Classification, Control and Appeal) Rules, 1991.

2. The substance of the imputations of misconduct or misbehaviour in respect of which the inquiry is proposed to be held is set out in the enclosed statement of article of charge (Annexure-I). A list of documents by which and a list of witnesses by whom the articles of charges proposed to be sustained are also enclosed (Annexure-II and III)

3. The above said Sri K.Tejo Kumar, Section Officer, Minorities Commission, A.P.Secretariat, Hyderabad is directed to submit within 10 days from the date of receipt of this order a written statement of his defence.

4. The above said Sri K.Tejo Kumar, Section Officer, Minorities Commission, A.P.Secretariat, Hyderabad is informed that an Inquiry will be held only in respect of those articles of charge as are not admitted. He should therefore, specifically admit or deny the article of charge.

5. The above said Sri K.Tejo Kumar, Section Officer, Minorities Commission, A.P.Secretariat, Hyderabad is further informed that if he does not submit his written statement of defence on or before the date specified in Para-3 above, further action will be processed based on the material available.

6. Attention of Sri K.Tejo Kumar, Section Officer, Minorities Commission, A.P.Secretariat, Hyderabad is invited to Rule-24 of the A.P. Civil Services (Conduct) Rules, 1964, under which no Govt. Servant shall bring or attempt to bring any political or outside influence to bear upon any superior authority to further his interest in respect of matters pertaining to his service under the Govt. If any representation received on his behalf from another person in respect of any matter dealt within these proceedings it will be presumed that Sri K.Tejo Kumar, Section Officer, is aware of such a representation and that it has been made at his instance and action will be taken against him for violation of Rule-24 of the A.P. Civil Services (Conduct) Rules, 1964.

7. The receipt of the G.O. may be acknowledged.

((BY ORDER AND IN THE NAME OF GOVERNOR OF ANDHRA PRADESH))

DR.MOHD ALI RAFATH
SECRETARY TO GOVERNMENT

To
Sri K.Tejo Kumar, Section Officer,
A.P.State Minorities Commission, Secretariat, Hyd., (through the Secretary, AP., SMC)
Sf/Sc.

// FORWARDED :: BY ORDER //

SECTION OFFICER

ANNEXURE – I

STATEMENT OF ARTICLE OF CHARGES

That Sri K.Tejo Kumar, Section Officer, Minorities Commission, A.P.Secretariat, Hyderabad while working in Social Welfare Department a criminal case was registered against him under Section 420 of Cr.P.C., and he was arrested on 14-03-2007 at 20.30 Hrs., by the P.S., Musheerabad, Hyderabad and was sent to the judicial remand on 15-03-2007. He was again released on bail on 22-03-2007. He has concealed the fact that he was arrested and was in judicial remand for more than forty eight hours and reported to duty on 28-03-2007.

As per Rule 8 (2) (a) of the A.P.C.S. (CCA) Rules, 1991 a Government Servant who was detained in the judicial custody for a period exceeding forty eight (48) hours shall be deemed to have been placed under suspension with effect from the date of his detention in custody whether on a criminal charge or otherwise.

Thus the above said Sri K.Tejo Kumar, Section Officer, by his above acts has exhibited lack of integrity, discipline, sense of propriety and conduct unbecoming of a Government Servant and thereby contravened Rule 3 (1) (2) of A.P.Civil Service (Conduct) Rules, 1964.

Hence the charge.

DR.MOHD ALI RAFATH
SECRETARY TO GOVERNMENT

// FORWARDED :: BY ORDER //

SECTION OFFICER

ANNEXURE – II

STATEMENT OF IMPUTATIONS OF MISCONDUCT IN SUPPORT OF ARTICLE OF CHARGES FRAMED AGAINST SRI K.TEJO KUMAR, SECTION OFFICER, MINORITIES COMMISSION, APSECRETARIAT, HYD.

That Sri K.Tejo Kumar, Section Officer, Minorities Commission, A.P.Secretariat, Hyderabad while working in Social Welfare Department, a complaint was filed by Smt.T.Nirmala Kumari, W/o.T.J.Diwakar, Occ.House wife, R/o.16/918, Marapeta, Kadapa, against him a criminal case No.330/2006 was registered against him under Section 420 of Cr.P.C., before the Station House Officer, P.S.Musheerabad, Hyderabad. He was arrested on 14-03-2007 at 20.30 Hrs., by the P.S., Musheerabad, Hyderabad and he was sent to judicial remand on 15-03-2007. He was again released on bail on 22-03-2007. He was detained in the judicial custody for a period exceeding forty eight hours. He has not disclosed the fact that he was arrested and was put in judicial remand for more than forty eight hours and reported to duty on 28-03-2007. Later he was transferred and reported to duty in the Minorities welfare Department.

As per Rule 8 (2) (a) of the A.P.C.S. (CCA) Rules, 1991 a Government Servant who was detained in the judicial remedy for a period exceeding forty eight (48) hours if liable to be placed under suspension with effect from the date of his detention in the judicial remedy, whether on a criminal charge or otherwise until it is revoked by the competent authority.

That Sri K.Tejo Kumar, Section Officer, after joining in the Minorities Welfare Department, vide memo No.3171/OP/A1/2008-2, MW (OP) Dept., dated 20-05-2008, a show cause notice has been issued directing Sri K.Tejo Kumar, Section Officer, to submit his explanation as to why disciplinary action should not be initiated against him for not disclosing the fact that he was arrested and was kept in judicial remedy on 15-03-2007 and again released on bail on 22-03-2007, at the time of submission of joining report on 23-03-2007. Sri K.Tejo Kumar, Section Officer, has not submitted his explanation to the above memo.

Thus the above said Sri K.Tejo Kumar, Section Officer, by his above acts, has exhibited lack of integrity, discipline, sense of propriety and conduct unbecoming of a Government Servant and thereby contravened Rule 3 (1) (2) of A.P.Civil Service (Conduct) Rules, 1964.

Thus the Government Servant has rendered himself liable for departmental action.

DR.MOHD ALI RAFATH
SECRETARY TO GOVERNMENT

// FORWARDED :: BY ORDER //

SECTION OFFICER

ANNEXURE – III

LIST OF WITNESSESS

---- NIL ----

DR.MOHD ALI RAFATH
SECRETARY TO GOVERNMENT

// FORWARDED :: BY ORDER //

SECTION OFFICER

ANNEXURE – IV

LIST OF DOCUMENTS

- 1.Cr.No.330/2006/MSRD, from the Station House Officer, P.S., Musheerabad, Hyderabad dated 15-03-2007.
- 2.Memo No.3171/OP/A1/2008-2, Minorities Welfare (OP) Department dated 20-05-2008.

DR.MOHD ALI RAFATH
SECRETARY TO GOVERNMENT

// FORWARDED :: BY ORDER //

SECTION OFFICER